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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF OREGON  
PORTLAND DIVISION**

Jon Charles Beyer  
And Shelley Renee Beyer

Plaintiffs,

Vs.

**BRIAN T. MOYNIHAN**, *and/or his  
successor*, individually, and in his official  
capacity as **PRES/CEO OF BAC HOME  
LOANS SERVICNG, LP**, *an ens legis being  
used to conceal fraud*,

**JAMES F. TAYLOR** *and/or his successor*,  
individually, and in his official capacity as  
**PRES. OF FIN. & ADMIN. OF  
RECONTRUST COMPANY, N.A.**, *an ens  
legis being used to conceal fraud*,

**BRIAN T. MOYNIHAN**, *and/or his  
successor*, individually, and in his official  
capacity as **PRES/CEO OF BANK OF  
AMERICA**, *an ens legis used to conceal  
fraud*,

**ANGELO MAZILO**, *and/or his successor*,  
individually, and in his official capacity as  
**PRES/CEO OF COUNTRYWIDE HOME  
LOANS, INC.**, *an ens legis being used to  
conceal fraud*,

**R.K. ARNOLD** *and/or his successor*,  
individually, and in his official capacity as  
**PRES/CEO OF MORTGAGE  
ELECTRONIC REGISTRATION  
SYSTEMS, INC.**, *an ens legis being used to  
conceal fraud*,

Case no: 10-CV-00523-MO

**AFFIDAVIT IN SUPPORT OF MOTION FOR  
ENTRY OF DEFAULT**

**VERIFIED**

**JAMES STROTHER, and/or his successor,  
individually, and in his official capacity as  
EVP of WELLS FARGO & CO., an ens legis  
being used to conceal fraud, et al,  
Defendant**

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I, Jon Charles Beyer and Shelley Renee Beyer, being duly sworn, state as follows:

1. The summons and complaint were filed on May 5, 2010.
2. All Defendant(s) were served with a copy of the summons and complaint as follows:  
  
Brian T. Moynihan, CEO of BAC HOME LOANS, LLC on May 6, 2010,  
  
Brian T. Moynihan, CEO of COUNTRYWIDE HOME LOANS on May 6, 2010,  
  
James Strother, CEO of WELLS FARGO BANK on May 11, 2010,  
  
Brian T. Moynihan, CEO of BANK OF AMERICA on May 10, 2010,  
  
R.K. Arnold, CEO of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS on  
May 10, 2010,  
  
James R. Taylor, CEO of RECONTRUST COMPANY on May 20, 2010.  
  
as reflected on the docket sheet by the proof of service filed with the clerk of court.
3. An answer to the complaint was due as follows:  
  
Brian T. Moynihan, CEO of BAC HOME LOANS, LLC on May 28, 2010,  
  
Brian T. Moynihan, CEO of COUNTRYWIDE HOME LOANS on May 28, 2010,  
  
James Strother, CEO of WELLS FARGO BANK on June 2, 2010,  
  
Brian T. Moynihan, CEO of BANK OF AMERICA on June 1, 2010,  
  
R.K. Arnold, CEO of MORTGAGE ELECTRONIC REGISTRATION SYSTEMS on  
June 1, 2010,  
  
James R. Taylor, CEO of RECONTRUST COMPANY on June 11, 2010.

4. Defendants have failed to plead or otherwise defend within the time allowed and, therefore, are now in default.

5. WHEREFORE Plaintiffs move this Court to enter default against the defendant(s).

Dated this 25 day of June 2010.

Jon - Charles Beyer  
Jon Charles Beyer

Shelley-Renee Beyer  
Shelley Renee Beyer

VERIFICATION

STATE OF OREGON

COUNTY OF Columbia

BEFORE ME personally appeared Jon Charles Beyer, being by me first duly sworn and identified in accordance with Oregon law, deposes and says:

3. My name is Jon Charles Beyer, plaintiff herein.

4. I have read and understood the attached foregoing Affidavit in support of Motion for Entry of Default, and each fact alleged therein is true and correct of my own personal knowledge.

FURTHER THE AFFIANT SAYETH NAUGHT.

Jon - Charles Beyer  
Jon Charles Beyer, Affiant

SWORN TO and subscribed before me this 25<sup>th</sup> day of June 2010

Rosanne Bellisle

Notary Public

My commission expires: 8/2/2011



VERIFICATION

STATE OF OREGON

COUNTY OF Columbia

BEFORE ME personally appeared Shelley Renee Beyer, being by me first duly sworn and identified in accordance with Oregon law, deposes and says:

3. My name is Shelley Renee Beyer, plaintiff herein.

4. I have read and understood the attached foregoing Affidavit in support of Motion for Entry of Default, and each fact alleged therein is true and correct of my own personal knowledge.

FURTHER THE AFFIANT SAYETH NAUGHT.

Shelley-Renee Beyer

Shelley Renee Beyer, Affiant

SWORN TO and subscribed before me this 25<sup>th</sup> day of June 2010

Rosanne Bellisle

Notary Public

My commission expires: 8/21/2011

